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Security Council Committee established pursuant to resolution 2140 (2014)

Letter dated 22 July 2015 from the Permanent Representative of the United Kingdom of Great Britain and Northern Ireland to the United Nations addressed to the Chair of the Committee

Please find attached herewith the report of the United Kingdom on the implementation of Security Council resolutions 2140 (2014) and 2216 (2015) (see annex).

(*Signed*) Matthew **Rycroft**

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Annex to the letter dated 22 July 2015 from the Permanent Representative of the United Kingdom of Great Britain and Northern Ireland to the United Nations addressed to the Chair of the Committee

Report submitted by the United Kingdom to the Security Council Committee established pursuant to resolution 2140 (2014)

In accordance with paragraph 9 of Security Council resolution 2204 (2015), (*Calls upon all Member States to report to the Committee ninety days from the adoption of this resolution on the steps they have taken with a view to implementing effectively the measures imposed by paragraphs 11 and 15 of resolution 2140 (2014)*), and in accordance with paragraph 14 of resolution 2216 (2015), the United Kingdom has the honour to provide the following information on the action that it has taken to implement the aforementioned measures.

Measures adopted by the European Union

Under European Union (EU) law, Security Council resolutions are implemented by decisions of the Council of the European Union in the area of Common Foreign and Security Policy (CFSP). These decisions are legally binding on Member States and transpose the content of Security Council resolutions into EU law. In order to make their content not only binding on Member States, but also directly applicable within them, these decisions need to be incorporated into regulations of the Council of the EU. In application of these principles, the United Kingdom and the other EU Member States have jointly implemented the restrictive measures against Yemen as imposed by resolutions 2140 (2014) and 2216 (2015).

Council Decision 2014/932/CFSP of 18 December 2014 concerning restrictive measures in view of the situation in Yemen

Following the adoption of resolution 2140 (2014), the EU adopted Council Decision 2014/932/CFSP in order to provide a legal basis for the implementation of the travel ban and asset freeze measures obligated by resolution 2140 (2014), paragraphs 11 and 15.

Council Decision 2015/882/CFSP of 8 June 2015 concerning restrictive measures in view of the situation in Yemen

Following the adoption of resolution 2216 (2015), the EU adopted Council Decision 2015/882/CFSP in order to provide a legal basis for the implementation of the arms embargo obligated by resolution 2216 (2015), paragraph 14.

Regulations of the Council of the European Union

Council Regulations implement the elements of the above decisions which fall within the competence of the EU under the Treaty on the Functioning of the European Union, in particular with a view to ensuring their uniform application by economic operators in all EU Member States. Council Regulations are binding in their entirety and are directly applicable in all EU Member States as soon as they have been published in the *Official Journal of the European Union*. Funds and

economic resources are frozen directly and immediately by Council Regulations. No further national implementation provisions are necessary in this respect.

Council Regulation (EU) 1352/2014 of 18 December 2014 concerning restrictive measures in view of the situation in Yemen

This Regulation imposes certain specific restrictive measures against certain persons engaging in or providing support for acts that threaten the peace, security or stability of Yemen, including by obstructing or undermining the successful completion of the political transition, as outlined in the GCC initiative and Implementation Mechanism Agreement; impeding the implementation of the outcomes of the final report of the comprehensive National Dialogue Conference through violence or attacks on essential infrastructure; as well as persons responsible for planning, directing, or committing acts that violate applicable international human rights law or international humanitarian law, or acts that constitute human rights abuses in Yemen. The Council adopted this Regulation in order to implement the measures set out in resolution 2140 (2014) and Council Decision 2014/932/CFSP that fall within the purview of the EU, in particular, the freezing of funds and economic resources.

Council Regulation (EU) 2015/878 of 8 June 2015 concerning restrictive measures in view of the situation in Yemen

This Regulation amended Council Regulation 1352/2014 following the adoption of resolution 2216 (2015), which expanded the scope of the designation criteria and introduced a targeted arms embargo.

Council Regulation (EU) 2015/879 of 8 June 2015 concerning restrictive measures in view of the situation in Yemen

This Regulation amended Council Regulation 1352/2014 following the adoption of resolution 2216 (2015) by amending Annex 1 to Council Regulation 1352/2014, thereby adding the two individuals designated under resolution 2216 (2015).

Measures adopted by the United Kingdom

The United Kingdom has made provisions to implement the financial sanctions contained in Council Decision 2014/932/CFSP through the Yemen (European Union Financial Sanctions) Regulations 2014 (SI 2014/3349). The Financial Sanctions Unit within Her Majesty's Treasury is responsible for the implementation of financial sanctions and the asset freeze relating to Yemen.

EU Regulation 1352/2014 prohibits funds being made available to or for the benefit of individuals or entities designated under that Regulation. Five individuals are currently designated: Abdulla Yahya AL HAKIM, Abdulmalik AL-HOUTHI, Abd al-Khaliq AL-HOUTHI, Ahmed Ali Abdullah SALEH and Ali Abdullah SALEH. Funds may be unfrozen or made available to these individuals only with a licence from Her Majesty's Treasury.

Separately to resolution 2216 (2015), the EU has adopted an arms embargo against targeted individuals in Yemen, provided for by Council Decision 2015/882/CFSP. The prohibition on the supply of arms falls within the United

Kingdom's competence; prohibitions on the provision of technical and financial assistance related to the supply of arms fall within EU competence and are applied through Council Regulation (EU) 2015/878. The Export Control Organisation within the Department for Business, Innovation and Skills is responsible for implementation of the arms embargo. The Department is currently preparing national legislation to provide for enforcement of those elements of the sanctions regime that cannot be enforced through existing national legislation. HM Revenue & Customs (HMRC), as the United Kingdom Customs authority, is the lead department for enforcing sanctions on goods. HMRC treats the enforcement of sanctions as a high priority and takes a risk-based and intelligence-led approach to identifying potential breaches and takes enforcement action appropriate to the circumstances.

The United Kingdom relies upon its domestic legislation, notably the Immigration (Designation of Travel Bans) Order 2000 and/or the Immigration Rules, in order to refuse entry to or transit through the United Kingdom by a non-British national who is subject to either a United Nations or EU travel ban. Those provisions would be used as appropriate in respect of individuals named by the United Nations or the EU with regard to Yemen.

United Kingdom Overseas Territories and Crown Dependencies

In the United Kingdom Overseas Territories, the arms embargo and asset freeze are implemented by the Yemen (Sanctions) (Overseas Territories) (No. 2) Order 2015. The travel ban is implemented administratively.

The British Crown Dependencies have adopted the asset freeze through the adoption of Council Regulation (EU) No. 1352/2014, implemented through the Yemen (Restrictive Measures) (Guernsey) Ordinance 2014, the Yemen (Restrictive Measures) (Alderney) Ordinance 2015 and the Yemen (Restrictive Measures) (Sark) Ordinance 2015 in the Bailiwick of Guernsey, the EU Legislation (Sanctions — Yemen) (Jersey) Order 2014 and EU Legislation (Sanctions — Yemen) (Amendment) (Jersey) Order 2015 in Jersey and the European Union (Yemen Sanctions) Order 2015 and Yemen Sanctions Regulations 2015, as amended by the European Union (Yemen Sanctions) (Amendment) Order 2015 and the Yemen Sanctions (Amendment) Regulations 2015 respectively, in the Isle of Man. The travel ban is implemented in the Isle of Man by the Immigration (Designation of Travel Bans) Order 2015 and administratively in Guernsey and Jersey.